

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Noll (Reg. No. 28,982) on July 11, 2008.

The application has been amended as follows:

Claim 1:

In line 10 of claim 1, replace the term --“medial”-- with the term --“medical”--.

DETAILED ACTION

1. This action is responsive to papers filed on 4/8/08.

Response to Amendment

2. In response to applicant's amendment received on 4/8/08, all requested changes to the claims have been entered.

Response to Arguments

3. Applicant's arguments, see Remarks, pages 9-12, filed 4/8/08, with respect to claims 1 and 11 have been fully considered and are persuasive. The 35 USC 102(e) rejections of claims 1 and 11 have been withdrawn.

Allowable Subject Matter

4. Claims 1-19 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Regarding claims 1 and 11, refer to the applicant's Remarks, pages 9-12, filed 4/8/08, for the reasons of allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 5,993,001 to Bursell et al. discloses remote image analysis.

USPN 6,829,378 to DiFilippo et al. discloses remote image analysis.

USPN 6,006,191 to DiRienzo discloses remote image analysis.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AARON W. CARTER whose telephone number is (571)272-7445. The examiner can normally be reached on 8am - 4:30 am (Mon. - Fri.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on (571) 272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron W Carter/
Primary Examiner, Art Unit 2624